



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,804	01/15/2002	Luca Bortoloso	2001 P 13819 US	6434

7590 09/20/2005

Andreas Grubert Baker Botts L.L.P  
One Shell Plaza  
910 Louisiana Street  
Houston, TX 77002-4995

EXAMINER

BENGZON, GREG C

ART UNIT PAPER NUMBER

2144

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/046,804	BORTOLOSO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Greg Bengzon	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20030422</u>  | 6) <input type="checkbox"/> Other: _____                                    |

*M*

### **DETAILED ACTION**

This application has been examined. Claims 1- 20 are pending.

#### ***Priority***

This application claims benefits of priority from Foreign Application 01123485.3 filed September 28, 2001 with the EUROPEAN PATENT OFFICE (EPO) .

The effective date of the claims described in this application is September 28, 2001.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 04/22/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 20 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 20 recites a 'computer product incorporating instructions'. The Examiner notes that 'computer product' was not defined in the Specifications, and hence may read on non-statutory subject matter such as a computer

program. Computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Claims that read on both statutory and non-statutory subject matter are considered non-statutory.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Kraenzel et al. (US Patent 6742026) hereinafter referred to as Kraenzel .

Kraenzel disclosed Claim 1 - A system for managing access of a remote user to downloadable resources, comprising: a central computer, including, a first database for storing user information; (Figures 5 thru 7, Column 35 Lines 25-30) a script file

containing information establishing access rights of said user to a user resource; (Column 20 Lines 20-35) and a centralized user manager program (Column 36 Lines 30-35) for accessing the first database and the script file, and downloading the script file to the remote user. (Column 35 Lines 45-50)

Kraenzel disclosed Claim 2 - The system according to claim 1, further comprising a remote computer being remotely coupled to the central computer. (Figure 6, Figure 9, Column 9 Lines 65)

Kraenzel disclosed Claim 3 - The system according to claim 2, that executes a local user management program that creates a local resource database for a user after login of the user. (Figure 6 , Figure 9, Column 35 Lines 30-35, Column 36 Lines 30-35)

Kraenzel disclosed Claim 4 - The system of claim 3, wherein the local user management program loads the script files from the central computer. (Column 35 Lines 45-50)

Kraenzel disclosed Claim 5 - The system of claim 2, wherein the local user management program creates the local resources database based on the script file. (Figure 9, Column 36 Lines 35-40)

Kraenzel disclosed Claim 6 - The system of claim 1, wherein the script file

includes a qualifier representative of the type of access granted to the user of a particular resource. (Column 20 Lines 25-35)

Kraenzel disclosed Claim 7 - The system of claim 1, wherein the central computer is coupled to the remote user through the Internet. (Figure 6, Figure 9, Column 9 Lines 65)

Claims 8-12 describe a system with the same limitations as Claims 1-7. Claims 8-12 are rejected on the same basis as Claims 1-7, as disclosed by Kraenzel .

Claims 13-19 describe a method with the same limitations as Claims 1-7. Claims 13-19 are rejected on the same basis as Claims 1-7, as disclosed by Kraenzel .

Claim 20 describes a computer product for Claim 13. Claim 20 is rejected on the same basis as Claims 1-7, as disclosed by Kraenzel .

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

US 6807558 B1 Hassett; Gregory P. et al. - distributing the variety of information to the plurality of client devices based on the information categories requested by the plurality of client devices

US 20020065879 A1 Ambrose, Jesse et al. - Replication Manager allows complete flexibility in providing users with local access to database servers and file systems.

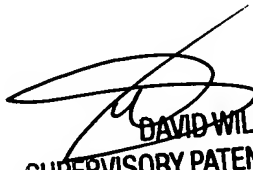
US 6339826 B1 Hayes, Jr.; Kent Fillmore et al. - Client-server system for maintaining a user desktop consistent with server application user access permissions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
gcb

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100